

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: NISHIDA et al.

Art Unit: 1646

Application No.: 09/924,099

Conf. No. 3370

Examiner: D. Jiang

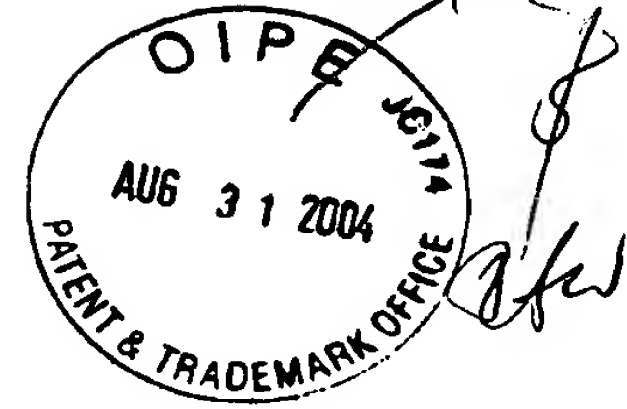
Filed: August 8, 2001

Washington, D.C.

For: PEPTIDE

Atty.'s Docket: NISHIDA=3A

Date: August 31, 2004



THE HONORABLE COMMISSIONER FOR PATENTS  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop: Amendment  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Sir:

Transmitted herewith is a ☒ Amendment ☐ \_\_\_\_\_  
in the above-identified application.

☐ Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

☐ No additional fee is required.

☒ The fee has been calculated as shown below:

|   | (Col. 1)                                  |       | (Col. 2)                              | (Col. 3)                   |
|---|---|-------|---------------------------------------|----------------------------|
|   | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT |       | HIGHEST NO.<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>EXTRA<br>EQUALS |
| TOTAL                                     | * 8                                       | MINUS | ** 20                                 | 0                          |
| INDEP.                                    | * 4                                       | MINUS | *** 4                                 | 0                          |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM |   |       |                                       |                            |

| SMALL ENTITY         |                   |
|----------------------|-------------------|
| RATE                 | ADDITIONAL<br>FEE |
| x 9                  | \$                |
| x 43                 | \$                |
| + 145                | \$                |
| ADDITIONAL FEE TOTAL |                   |
|                      | \$                |

| OTHER THAN SMALL ENTITY |                   |
|-------------------------|-------------------|
| RATE                    | ADDITIONAL<br>FEE |
| x 18                    | \$                |
| x 86                    | \$                |
| + 290                   | \$                |
| TOTAL                   |                   |
|                         | \$                |

OR

OR

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☒ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- ☐ First - \$ 55.00
- ☐ Second - \$ 210.00
- ☐ Third - \$ 475.00
- ☐ Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- ☐ First - \$ 110.00
- ☒ Second - \$ 420.00
- ☐ Third - \$ 950.00
- ☐ Fourth - \$ 1480.00

Month After Time Period Set

☐ Less fees (\$ \_\_\_\_\_) already paid for \_\_\_\_ month(s) extension of time on \_\_\_\_\_.

☐ Please charge my Deposit Account No. 02-4035 in the amount of \$ \_\_\_\_\_.

☒ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 420.00.

☐ A check in the amount of \$ \_\_\_\_\_ is attached (check no. ).

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

09/01/2004 WABDEL1R1 00000048 09924099


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420.00 OP

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BROWDY AND NEIMARK, P.L.L.C.

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Registration No.: 37,971



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: NISHIDA=3A

|                          |   |                       |
|--------------------------|---|-----------------------|
| In re Application of:    | ) | Art Unit: 1646        |
|                          | ) |                       |
| Yoshihiro NISHIDA et al. | ) | Examiner: D. Jiang    |
|                          | ) |                       |
| Appln. No.: 09/924,099   | ) | Washington, D.C.      |
|                          | ) |                       |
| Filed: August 8, 2001    | ) | August 27, 2004       |
|                          | ) |                       |
| For: PEPTIDE             | ) | Confirmation No. 3370 |

**AMENDMENT**

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, **Mail Stop Amendment**  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Sir:

In response to the Office Action of April 7, 2004,  
payment for a two month extension of time being attached hereto,  
please amend as follows:

**Amendments to the Claims** are reflected in the listing of claims  
which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.